

IFW

Dkt. 2048/57906-BA/JPW/AJD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: William C. Olson and Paul J. Maddon

Serial No.: 10/763,545

Examiner:

Filed: January 23, 2004

Group Art Unit: 1648

For: SYNERGISTIC INHIBITION OF HIV-1 FUSION AND  
ATTACHMENT, COMPOSITIONS AND ANTIBODIES THERETO

1185 Avenue of the Americas  
New York, NY 10036  
January 7, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

This Supplemental Information Disclosure Statement is submitted under 37 C.F.R. §1.97(b)(3) to supplement the Information Disclosure Statement filed August 12, 2004 in connection with the above-identified application.

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following references which are listed on the attached Form PTO-1449 (**Exhibit A**) and attached hereto as **Exhibits 1-5**, respectively:

1. PCT International Application Publication No. WO 97/45543 A, published December 4, 1997 (**Exhibit 1**);
2. PCT International Application Publication No. WO 97/47318 A, published December 18, 1997 (**Exhibit 2**);
3. Ghorpade, A., Xia, M.Q., Hyman, B.T., Persidsky, Y., Nukuna, A., Bock, P., Che, M., Limoges, J., Gendelman, H.E. and Mackay, C.R. (1998) Role of the beta-chemokine receptors CCR3 and CCR5 in human immunodeficiency virus

Applicants: William C. Olson and Paul J. Maddon  
Serial No.: 10/763,545  
Filed: January 23, 2004  
Page 2

type 1 infection of monocytes and microglia. J. Virol. 72:  
3351-3361 (**Exhibit 3**);

4. Schols, D., Proost, P., Struyf, S., Wuyts, A., De Meester, I., Scharpe, S., Van Damme, J. and De Clercq, E. (1999) CD26-processed RANTES(3-68), but not intact RANTES, has potent anti-HIV-1 activity. Antiviral Res. 39: 175-187 (**Exhibit 4**); and
5. Simmons, G., Clapham, P.R., Picard, L., Offord, R.E., Rosenkilde, M.M., Schwartz, T.W., Buser, R., Wells, T.N., Proudfoot, A.E. (1997) Potent inhibition of HIV-1 infectivity in macrophages and lymphocytes by a novel CCR5 antagonist. Science 276: 276-279 (**Exhibit 5**).

The Examiner is respectfully requested to make these references of record in the present application by initialing and returning a copy of the enclosed Form PTO 1449.

Applicants note that the above-listed references were previously cited in a Supplementary European Search Report issued October 8, 2004 in connection with European Patent Application No. 99966466.7-2402, a foreign counterpart of the subject application. A copy of the October 8, 2004 Supplementary European Search Report is attached hereto as **Exhibit B**.

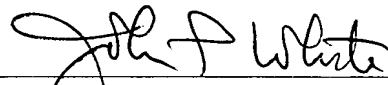
Applicants note also that PCT International Application Publication No. WO 98/18826 and the Ylisastigui et al. (1998), Mcknight et al. (1997), Olson et al. (1999) and the two Wu et al. (1997) references cited in the above-identified European Search Report (**Exhibit B**) are not listed herein because these references were previously made of record in the subject application, having been cited to the Examiner in the Information Disclosure Statement filed August 12, 2004.

Applicants: William C. Olson and Paul J. Maddon  
Serial No.: 10/763,545  
Filed: January 23, 2004  
Page 3

If a telephone conference would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

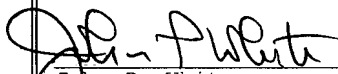
Pursuant to 37 C.F.R. §1.97(b)(3), no fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White  
Registration No. 28,678  
Attorney for Applicants  
Cooper & Dunham, LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
John P. White  
Reg. No. 28,678

1/7/05  
Date

Form PTO-1449

U.S. Department of Commerce  
Patent and Trademark Office

Application Number	10/763,545
Filing Date	January 23, 2004
First Named Inventor	William C. Olson et al.
Art Unit	1648
Examiner Name	
Attorney Docket No.	2048/57906-BA/JPW/AJD

INFORMATION DISCLOSURE STATEMENT  
(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document

## FOREIGN PATENT DOCUMENTS

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Foreign Patent Document Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>
	1	WO/9745543 A	12-04-1997	Combadiere, Chrisophe et al.	
	2	WO/9747318 A	12-18-1997	Allaway, Graham P. et al.	

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	3	GHORPADE, A., XIA, M.Q., HYMAN, B.T., PERSODSKY, Y., NUKUNA, A., BOCK, P., CHE, M., LIMOGES, J., GENDELMAN, H.E. and MACKAY, C.R. (1998) Role of the beta-chemokine receptors CCR3 and CCR5 in human immunodeficiency virus type 1 infection of monocytes and microglia. J. Virol. 72: 3351-3361;	
	4	SCHOLS, D., PROOST, P., STRUYF, S., WUYTS, A., DE MEESTER, I., SCHARPE, S., VAN DAMME, J. and DE CLERCQ, E. (1999) CD26-processed RANTES(3-68), but not intact RANTES, has potent anti-HIV-1 activity. Antiviral Res. 39: 175-187; and	
	5	SIMMONS, G., CLAPHAM, P.R., PICARD, L., OFFORD, R.E., ROSENKILDE, M.M., SCHWARTZ, T.W., BUSIER R., WELLS, T.N., PROUDFOOT, A.E. (1997) Potent inhibition of HIV-1 infectivity in macrophages and lymphocytes by a novel CCR5 antagonist. Science 276: 276-279.	

EXAMINER  
SIGNATURE

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds of Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English Language Translation is attached.

Applicants: William C. Olson, et al.  
Serial No.: 10/763,545  
Filed: January 23, 2004  
Exhibit A